

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FUSION ELITE ALL STARS, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 2:22-cv-2226-SHL-tmp
)	
NFINITY ATHLETIC, LLC,)	
)	
Respondent/Non-Party.)	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION ON
RESPONDENT/NON-PARTY'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND COSTS**

Before the Court is the Chief Magistrate Judge's Report and Recommendation on Respondent NFINITY Athletic LLC's ("NFINITY") Motion for an Award of Attorneys' Fees and Costs (the "Report and Recommendation"), filed December 12, 2022. (ECF No. 38.) In the Report and Recommendation, the Chief Magistrate Judge recommends that "NFINITY's motion for attorney's fees be granted in part and denied in part. The undersigned finds NFINITY is entitled to a total of \$25,757.50 in fees." (Id. at PageID 151.)

Pursuant to Federal Rule of Civil Procedure 72(b)(2), "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." No objections to the Report and Recommendation have been filed, and the time for filing objections has expired. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes. On clear-error review of the Chief Magistrate Judge's Report and

Recommendation, the Court hereby **ADOPTS** the Report and Recommendation, (ECF No. 38), in its entirety.

Accordingly, NFinity's Motion for an Award of Attorney's Fees and Costs is **GRANTED IN PART AND DENIED IN PART**. The Court finds that NFinity is entitled to a total of \$25,757.50 in fees related to this non-party litigation.

IT IS SO ORDERED, this 13th day of January, 2023.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE